

EXHIBIT 3

From: [Kevin Wiener](#)
To: jsimpson001@icloud.com
Cc: [Michael Wiener](#); ["Steve Altman"](#); [Thorne, Leslie](#)
Subject: RE: AREH Request for Consent - Nostrand Bankruptcy
Date: Wednesday, March 6, 2024 12:52:54 PM

EXTERNAL: Sent from outside Haynes and Boone, LLP

Jeff I'm already in Canada.

Sent from my Galaxy

----- Original message -----

From: jsimpson001@icloud.com
Date: 2024-03-06 12:37 p.m. (GMT-05:00)
To: Kevin Wiener <kwiener@35oak.com>
Cc: Michael Wiener <MWiener@35OAK.com>, 'Steve Altman' <steve@commercialtriallawyer.com>, 'Leslie Thorne' <Leslie.Thorne@haynesboone.com>
Subject: RE: AREH Request for Consent - Nostrand Bankruptcy

EXTERNAL

[EXTERNAL EMAIL]

YOU DON'T KNOW ANYTHING, GO BACK TO CANADA AS YOU ARE PLANNING TO DO ANYWAY AFTER YOU ARE FINISHED RUINING THE BUSINESS THAT I BUILT. THE GROWN UPS WILL HANDLE IT. YOU WILL NEVER BE ALLOWED BACK IN THE US WHEN WE ARE DONE WITH THIS NONSENSE. DON'T SEND ME ANYTHING MORE, YOU WILL BE PROVEN GUILTY ON ALL RESPECTS – GOOD THAT YOU DUPED ONE JUDGE, YOU WON'T DUPE OTHERS. WHAT HAPPENED WITH CARTER? YOU DIDN'T LIKE WHAT HE SAID SO YOU WITHDREW? LIKE A COWARD THAT YOU ARE. THIS ISNT A VIDEO GAME KEVIN.

From: Kevin Wiener <kwiener@35oak.com>
Sent: Wednesday, March 6, 2024 12:30 PM
To: jsimpson001@icloud.com
Cc: Michael Wiener <MWiener@35OAK.com>; 'Steve Altman' <steve@commercialtriallawyer.com>; 'Leslie Thorne' <Leslie.Thorne@haynesboone.com>
Subject: RE: AREH Request for Consent - Nostrand Bankruptcy

I know exactly what an appeal means.

It means nothing unless and until the appellate court overturns the decision of the motion court, either temporarily by motion or permanently by granting the appeal.

My understanding is an appeal doesn't even stay a monetary judgment unless a bond

is posted. I'm surprised your lawyer didn't explain this to you.

The appellate division declined to grant your motion, presumably because they believe it lacks merit. It is now going to the full panel. If the full panel amends the PI or vacates or stays it, we will of course comply with the court order as we have always done.

There is absolutely nothing irregular about following a court order under appeal. If we appealed the portion of the order requiring us to give you viewing access to bank accounts, we would not be entitled to ignore it because of the appeal. That is not how appeals work.

With respect to your demand for specific documents, we have already responded to your demand delineating what documents we agree to produce and which ones we object to. There is a protocol for resolving discovery disputes, which I believe involves a good faith effort to resolve objections and then a letter motion to the judge. I will leave it to our respective counsels to try to agree to any disputes and, if they cannot agree, to submit them to the court.

My understanding, however, is that your lawyer has not even requested a preliminary conference at this point, which is generally the first and quite routine step in setting discovery deadlines and a framework for disputes.

I might gently suggest that to the extent you are not as successful as you think you should be in court, it may be because you have overestimated the strength of your case rather than because of any sort of nefariousness you keep accusing us and our lawyer of.

Anyhow I forgot to mention, but on Nostrand we got you removed from your guarantee, which you would think is of value to you given the lender could have taken a full recourse position based on your consistent refusal to cooperate on obtaining lender consents to a potential change in control, in contravention of the AREH operating agreement.

Notwithstanding your previous and ongoing wrongful acts against us, we wanted to ensure that you were not personally prejudiced from the transaction. And unlike you, we did not demand any personal concessions from you in order to get you released from a guarantee.

Regards,

Kevin

Sent from my Galaxy

----- Original message -----

From: jsimpson001@icloud.com
Date: 2024-03-06 12:19 p.m. (GMT-05:00)
To: Kevin Wiener <kwiener@35oak.com>
Cc: Michael Wiener <MWiener@35OAK.com>, 'Steve Altman' <steve@commercialtriallawyer.com>, 'Leslie Thorne' <Leslie.Thorne@haynesboone.com>
Subject: RE: AREH Request for Consent - Nostrand Bankruptcy

EXTERNAL

[EXTERNAL EMAIL]

Be specific Kevin. You are a lying / cheating crook in all respects. THERE IS AN APPEAL OUT THERE, DO YOU NOT KNOW WHAT THAT MEANS???? My name is tied to both of these transactions in some way, Jared is not. He would not even know where to start for giving consent whatsoever and he is the "proxy" that you were stricken from doing by the judge. You created this proxy in July when you meddled improperly and breached the AREH agreement 10 ways to Sunday. SEND YOUR AGREEMENT WITH JARED NOW OR WE WILL TAKE ACTION AGAINST YOU IMMEDIATELY. You have contrived this "self dealing" thing since you quit your NFP job and video game position. The grown ups figure out the real estate not the inexperienced crooks like you and your disgusting brother. The judge has no idea what is happening in front of him with your duping efforts.

Where is your father in this? Is he hiding????

AGAIN, LET'S MEET IN ANY PLACE OR JURISDICTION RIGHT NOW – LAWYERS OR NOT – PUT THE CARDS ON THE TABLE – YOU LOSE FOR BREAKING LAWS AND LYING, I HAVE ZERO TO HIDE.

From: Kevin Wiener <kwiener@35oak.com>
Sent: Wednesday, March 6, 2024 12:12 PM
To: jsimpson001@icloud.com
Cc: Michael Wiener <MWiener@35OAK.com>; 'Steve Altman' <steve@commercialtriallawyer.com>; Leslie Thorne <Leslie.Thorne@haynesboone.com>
Subject: RE: AREH Request for Consent - Nostrand Bankruptcy

Yes Jeff, we obtained Jared's consent for both deals and proceeded in accordance with the PI, notwithstanding your attempts to actively interfere in both deals and lie to an investor in one of them, in direct violation of the PI.

Sent from my Galaxy

----- Original message -----

From: jsimpson001@icloud.com
Date: 2024-03-05 6:42 p.m. (GMT-05:00)
To: Kevin Wiener <kwiener@35oak.com>

Cc: Michael Wiener <MWiener@35OAK.com>, 'Steve Altman'
<steve@commercialtriallawyer.com>
Subject: RE: AREH Request for Consent - Nostrand Bankruptcy

EXTERNAL

[EXTERNAL EMAIL]

Did you proceed with the forbearance agreement and DIL that I objected to? Let's start there.

From: Kevin Wiener <kwiener@35oak.com>
Sent: Tuesday, March 5, 2024 6:18 PM
To: jsimpson001@icloud.com
Cc: Michael Wiener <MWiener@35OAK.com>
Subject: AREH Request for Consent - Nostrand Bankruptcy

Hi Jeff,

Further to the forbearance agreement with Madison, we are seeking JJ Arch consent for Hello Nostrand to make a Chapter 11 bankruptcy filing so that the underlying property can be sold and the proceeds used to pay the creditors. I've attached a copy of the consent to bankruptcy I would be signing to make Lee Buchwald CRO and authorize the BK filing.

Please advise if you have any questions.

Thanks,

Kevin